

**To:** Jones, Joel E.[Jones.Joel@epa.gov]  
**From:** Johnson, Kathleen  
**Sent:** Thur 9/11/2014 3:47:08 PM  
**Subject:** FW: EPA meeting today  
[image.jpeg](#)

Joel,

See the last part of jared's message to me. did the state take an action against the cane plant that we are focused on?

Kathleen H. Johnson  
Director, Enforcement Division  
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**From:** Blumenfeld, Jared  
**Sent:** Wednesday, September 10, 2014 6:28 PM  
**To:** Johnson, Kathleen  
**Subject:** Re: EPA meeting today

Thanks for great update. Kinda frustrating that they think they need to "start again" because of our comments when they have been told the same stuff for years! Anyway we got their attention and it sounds like you and team did great job. Thanks.

And here is picture of sugar cane plant that DOH just enforced against.



Jared Blumenfeld

EPA

On Sep 10, 2014, at 7:33 AM, "Johnson, Kathleen" <[Johnson.Kathleen@epa.gov](mailto:Johnson.Kathleen@epa.gov)> wrote:

Jared,

Quick download from yesterday's en masse BDCP meeting. There were around 25 participants, including several from ICF (the contractor). I think progress was made toward a mutual understanding of EPA's comments. Not too many "disagreements" per se. For instance, in the DEIS they modelled compliance with one of the water quality standards at a new proposed compliance point. Everyone agreed that is what they did and understood that EPA cannot review compliance in light of future changes to compliance points or standards. In other cases, ICF said they had more information but it was contained in other documents and not the EIS/EIR, etc. We definitely got the point across that it would be simpler for them to designate a preferred alternative. That seemed to be news to many and certainly something that DWR and the lead agencies were going to follow up on.

I had an after-meeting with Laura King Moon (DWR- deputy to Mark Cowin) and Marie Rea (NMFS- deputy to Will Stelle). Laura reiterated that they didn't have time to "start over". I said we thought that the Supplement could better define a project and that key to that was more explanation (trigger values, decision-tree etc) for the adaptive management program (the pumping scheme); the habitat management program and the new flow program (more water). They have a lot to think through and I think we gave them some good direction. It may not be necessary to have a principals' meeting in the near future – as they need some time to figure some of this out. DWR and the federal lead agencies were scheduled to have a call today – so we should know more about whether a future meeting will be scheduled soon.

As usual, our team did a great job. Very specific, very technically savvy and professionally presented. All good.

Kathleen H. Johnson

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**From:** [will.stelle@noaa.gov](mailto:will.stelle@noaa.gov) [mailto:[will.stelle@noaa.gov](mailto:will.stelle@noaa.gov)]

**Sent:** Tuesday, September 09, 2014 8:43 PM

**To:** Moon, Laura [K.@DWR](mailto:K.@DWR)

**Cc:** Maria Rea; Letty Belin; Jason R Phillips; Mark Cowin; Bonham, Chuck@Wildlife; karla Nemeth; Jennifer Gimbel; John Bezdek; Peg Romanik; Johnson, Kathleen

**Subject:** Re: EPA meeting today

Great. Laura, thank you for the note. We all appreciate the extraordinary stress levels taxing you, us, and the other participants in this endeavor, and in that light, I appreciate your taking the time to send a thoughtful note. I know Maria is very attentive to working through these topics, as are our EPA colleagues and all of us.

WS

William Stelle Jr.  
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West Coast Region  
NOAA Fisheries  
206-526-6150

**From:** [Moon, Laura K.@DWR](mailto:Moon, Laura K.@DWR)

**Sent:** Tuesday, September 9, 2014 7:39 PM

**To:** [Will.Stelle@noaa.gov](mailto:Will.Stelle@noaa.gov)

**Cc:** [Maria Rea](#)

Will,

Just a quick note to let you know that I thought the EPA meeting went very well today. We still have some serious issues to deal with, but I think we can do so. Maria did a very good job running the meeting. We will discuss more at the principals call tomorrow, but I wanted to let you know that I thought we made some

good progress.

Laura